**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.GIRI**

**THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929**

**WP(C).No. 29795 of 2005(V)**
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**PETITIONER:**
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**U.K.RAMACHANDRAN, AGED 45 YEARS,**
**S/O.LATE K.KUMARAN, JUNIOR SUPERINTENDENT,**
**OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION,**
**KOZHIKODE.**

**BY ADV. SRI.V.A.MUHAMMED**
**SRI.K.E.HAMZA**

**RESPONDENTS:**
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1. **THE STATE OF KERALA, REPRESENTED BY**
   **ITS SECRETARY TO GOVERNMENT,**
   **DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT,**
   **TRIVANDRUM.**

2. **THE DIRECTOR OF PUBLIC INSTRUCTION,**
   **JAGATHY, TRIVANDRUM-14.**

3. **THE STATE PROJECT DIRECTOR,**
   **S.S.A. KERALA, TRIVANDRUM.**

4. **THE DEPUTY DIRECTOR OF EDUCATION,**
   **KOZHIKODE.**

**BY GOVERNMENT PLEADER SRI.NANDAKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C) NO.29795/2005**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE ORDER NO.C6-18898/05/DPI OF THE 2ND RESPONDENT DT. 27.6.05.**

**EXT.P2:- COPY OF THE ORDER NO.C5-50526/05/DPI OF DO. DO. DT. 7.7.05.**

**EXT.P3:- COPY OF THE ORDER NO.C5/50526/05/DPI OF DO. DO. DT. 5.8.05.**

**EXT.P4:- COPY OF THE ORDER NO.C5/18696/05/DPI OF DO. DT. 13.10.05.**

**EXT.P5:- COPY OF THE RELIEVING ORDER NO.A1/5244/05 OF THE DY. DIRECTOR OF EDN. WAYANAD DT. 17.10.05.**

**EXT.P6:- COPY OF THE G.O.(RT) NO.4690/05/G. EDN. OF THE GOVERNMENT DT. 5.10.05.**

**EXT.P7:- COPY OF THE ORDER NO.A1-2881/05/SSA OF THE STATE PROJECT DIRECTOR SSA DT. 15.10.05**

**EXT.P8:- COPY OF THE JUDGMENT IN OP. NO.5348/90 OF THIS HON'BLE COURT DT. 14..6.90.**

**/TRUE COPY/**

**P.S. TO JUDGE**

**tss**

**V.GIRI, J.**

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**W.P.(C).No.29795 of 2005 V**

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**Dated this the 18th day of October, 2007.**

## JUDGMENT

The petitioner challenges Exts.P6 and P7 orders in this writ petition. Ext.P6 is an order of the General Education Department of the Government appointing 13 Junior Superintendents/Head Clerks of General Education Department as Junior Accounts Officer, in the District Project Offices of Sarvasiksha Abhiyan (SSA), on deputation basis for a period of one year. Ext.P7 is a consequential order passed by the State Project Director of SSA. Under Exts.P6 and P7, the petitioner was posted as a Junior Superintendent at the District Project Office of SSA at Wayanad.

2. Petitioner was promoted as Junior Superintendent on a provisional basis along with 7 others, and allotted against the post of Junior Accounts Officer in the SSA on deputation basis as per Ext.P2 order. In Ext.P2 the Senior Administrative Officer of the Director of

Public Instructions refers to the fact that Government had, as per G.O.(P)No.3218/05/G.Edn dated 28.6.2005 sanctioned 14 posts of Junior Accounts Officer {one in each District} under the SSA Scheme. Government had further directed that the said post shall be filled up by deputation from among the Junior Superintendents of General Education Department. It was on account of the sanctioning of the posts of Junior Accounts Officer coupled with the decision to fill it up with Junior Superintendents from General Education Department, that the petitioner also came to be promoted as Junior Superintendent, though on a provisional basis. It is, therefore, under Ext.P2 that the petitioner was allotted to the Wayanad District for being posted as Junior Accounts Officer in the SSA. The posting in Ext.P2 was kept in abeyance pending actual orders from the Government, sanctioning the deputation of the same incumbents to the SSA. Petitioner does not challenge

Ext.P2 obviously because it is under Ext.P2 that he was promoted. Even in Ext.P2, it is made clear that the petitioner is allotted to the Wayanad District. If that be so, there is nothing irregular either in Ext.P6 or P7, which are issued in consequence thereto. I do not find any reason to interfere with Exts.P6 and P7.

The writ petition is bereft of merit and the same is, therefore, dismissed.

Sd/-

**(V.GIRI)**

**JUDGE**

sk/

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